

DRAFT

MURPHY CROSSING URBAN RENEWAL PLAN

City of Bend

DATE

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PROPOSED MURPHY CROSSING URBAN RENEWAL PLAN

I. INTRODUCTION

The Murphy Crossing Urban Renewal Plan (the “Plan”) is the culmination of years of study of the Murphy Crossing area, where access and circulation have been negatively affected by the location and configuration of the Bend Parkway. In the summer of 2001, the South Bend Parkway Refinement Study was started to explore future options for replacing the at-grade intersections in the area. This project looked specifically at the safety and function of the Bend Parkway. The purpose of the refinement study was to help develop a detailed improvement and management plan for the southern section of the Bend Parkway from Powers Road to Bend’s southern urban growth boundary. In 2003, the Oregon Transportation Commission (OTC) and the City of Bend selected Alternative H-Modified with Option 1 for the South Parkway Refinement. This alternative came with several conditions that needed to be satisfied prior to implementing the H-Modified Design. The conditions were:

- Select alignment for realigned Murphy Road to extend west to Brookwood Boulevard
- Select alignment for frontage road west of Parkway to connect Powers Road to Ponderosa Street
- Identify timing of right-in, right-out only for Poderosa/China Hat/Highway 97
- Identify improvements needed on Powers Road between Third Street and Brookwood Boulevard
- Identify improvements needed on Brookwood Boulevard from Murphy Road to Powers Road
- Identify improvements needed on Parrell Road between Powers Road and China Hat Road and
- Select alignment for frontage road from Ponderosa Street south to Baker Road.

To meet those conditions, in March 2005, the City of Bend accepted a Transportation and Growth Management (TGM) Quick Response Grant for Murphy Crossing. Over a three month period, significant public input was sought through stakeholder and property owner interviews and public meetings. A preferred design alternative emerged from this public process. The preferred plan proposed a local street plan consistent with the OTC conditions and a land use plan that required new zoning designations within the study area. Based on the preferred alternative plan that came out of the study, the City Council authorized staff to proceed with the initiation and adoption of a refinement plan for the Murphy Crossing area in August of 2005. The Murphy Crossing Refinement Plan was adopted by the City Council in November of 2006.

The Murphy Crossing Urban Renewal Plan implements the decisions made through these years of study of the area. The Plan contains goals, objectives and projects for the development of the Murphy Crossing Urban Renewal Area (“Area”). The Area, shown in Figure 1, consists of approximately 230 acres of land in the vicinity of the southern convergence of the Bend Parkway and Southeast 3rd Street. The south westerly portion of the Area encompasses the Murphy Crossing Refinement Plan area

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and the north easterly portion includes part of the Southeast 3rd Street commercial corridor.

The overall purpose of the Plan is to use tax increment financing to overcome obstacles to proper development of the Area by assisting with the funding of access and utility improvements, including the overcrossing of the Bend Parkway at Murphy Road and a system of local streets. Tax increment financing (see Section VII) generally means that the property taxes resulting from growth in property value within the Area can be used to finance improvement projects and programs in the Area.

The Plan will be administered by the Bend Urban Renewal Agency (“Agency”) which has been established by the City Council of the City of Bend. Major changes to the Plan, if necessary, must be approved by the City Council. The Plan is accompanied by an Urban Renewal Report (“Report”) that contains additional information.

The Plan is funded through borrowings. The amount Plan anticipates issuing the debt within the limits of the maximum indebtedness in twenty five years. The maximum amount of indebtedness (amount of tax increment financing for projects and programs) that may be issued for the Plan is \$52,600,000. Repayment of the debt is anticipated to take until FY 2033/2034 a period of 25 years.

II. GOALS AND OBJECTIVES

The goals of the Plan represent its basic intents and purposes. Accompanying each goal are objectives, which generally describe how the Agency intends to achieve the goals. The urban renewal projects identified in Chapter IV of the Plan are the specific means of meeting the objectives.

Goal 1: *ECONOMY*

Convert underutilized land into productive developments that will provide jobs, housing and business to the Bend area.

Objectives:

1A: Provide a variety of employment opportunities and housing types.

1B: Work with property owners to promote beneficial development of properties within the Area.

1C: Provide a commercial revitalization loan fund for the improvement of existing business properties within the Area.

1D: Provide an affordable housing assistance program to help stimulate affordable housing within the Area.

1D: Increase the supply of developed commercial, mixed use and residential land within the City of Bend, thereby maximizing the use of buildable lands within the UGB.

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Goal 2: *LAND USE*

Help implement adopted plans to create an efficient and cohesive mixed-use development in the Area.

Objectives:

2A: Support the location of new residential uses adjacent to the existing neighborhoods.

2B: Support the creation of opportunities for large-scale retail uses as well as community commercial and small scale businesses in selected locations to foster a mixed-use district.

2C: Support ensuring the compatibility of uses within the Area and within the surrounding neighborhoods and allowing a mixture of complementary land uses that may include housing, retail, offices, commercial services, and civic uses to create economic and social vitality and to encourage the linkage of vehicle trips.

2D: Make investments that promote efficient use of land and public services.

2E: Support the accommodation of a range of housing needs, including owner occupied and rental housing.

Goal 3: *TRAFFIC AND TRANSPORTATION*

Implement transportation improvements that will increase efficient access and circulation to and from the area and mitigate traffic impacts resulting from new development.

Objectives:

3A: Create an interconnected system of streets following City standards appropriate to the intensity and type of adjacent use.

3B: Create safe and attractive streetscapes that will meet City emergency access requirements and enhance pedestrian and bicycle access.

3C: Provide sidewalks and streetscape improvements that promote multimodal usage, access and safety.

3D: Provide intersection and highway improvements for efficient traffic flow and safety.

3E: Construct street improvements as consistent with City and State standards.

3F: Reduce reliance on the automobile for neighborhood travel and provide options for walking and bicycling.

3G: Provide direct and convenient access to schools, parks and neighborhood services.

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Goal 4: *PUBLIC UTILITIES*

Improve the public utilities within the Area.

Objectives:

4A: Provide additional capacity for the sewer system through the development of the master-planned Southeast Sewer Interceptor.

4B: Upgrade the existing sewer system to accommodate projected increased flows.

4C: Upgrade regional storage and transmission facilities of water systems.

Goal 5: *PARKS*

Develop a public park in the Area.

Objectives:

5A: Create a park to serve residents and workers in the community.

5B: Provide informal gathering places for the community.

Goal 6: *ENHANCE THE PEDESTRIAN ENVIRONMENT ON STREETS*

Create a streetscape environment that is safe and attractive for pedestrians and bicyclists.

Objectives:

6A: Develop street improvements with features that promote pedestrian and other multi-modal transportation options.

6B: Develop a system of streetscape improvements that create a continuous and consistent pedestrian environment throughout the Area.

6C: Increase pedestrian safety and encourage more street level pedestrian activity in the Area. Create safer pedestrian crossings.

6D: Soften building edges, camouflage vacant lots and surface parking lots and create a safer and more attractive pedestrian environment.

Goal 7: *PROMOTE A MIX OF RETAIL AND COMMERCIAL USES ORIENTED TO PEDESTRIANS*

Promote development of a mix of service and office uses that benefit from and enhance the Area's pedestrian environment.

Objectives:

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7A: Encourage use and patronage of Area businesses by developing an inviting pedestrian environment.

7B: Encourage upgrading of existing businesses with an objective of orientation toward pedestrian activity.

7C: Encourage new development which caters to a pedestrian oriented environment.

Goal 8: *PUBLIC-CITIZEN INVOLVEMENT - ENCOURAGE INVOLVEMENT BY ALL CITIZENS, CORPORATE AND INDIVIDUAL TO KEEP THE CITY VITAL*

Involve the public, both corporate and individual in the adoption and administration of the Plan.

Objectives:

8A: Meet with neighborhood groups to both give an understanding of tax increment financing and to gain their input on proposed projects.

8B: Allow opportunity for public testimony throughout the consideration of the adoption of the Plan, and the consideration of any amendments to the Plan.

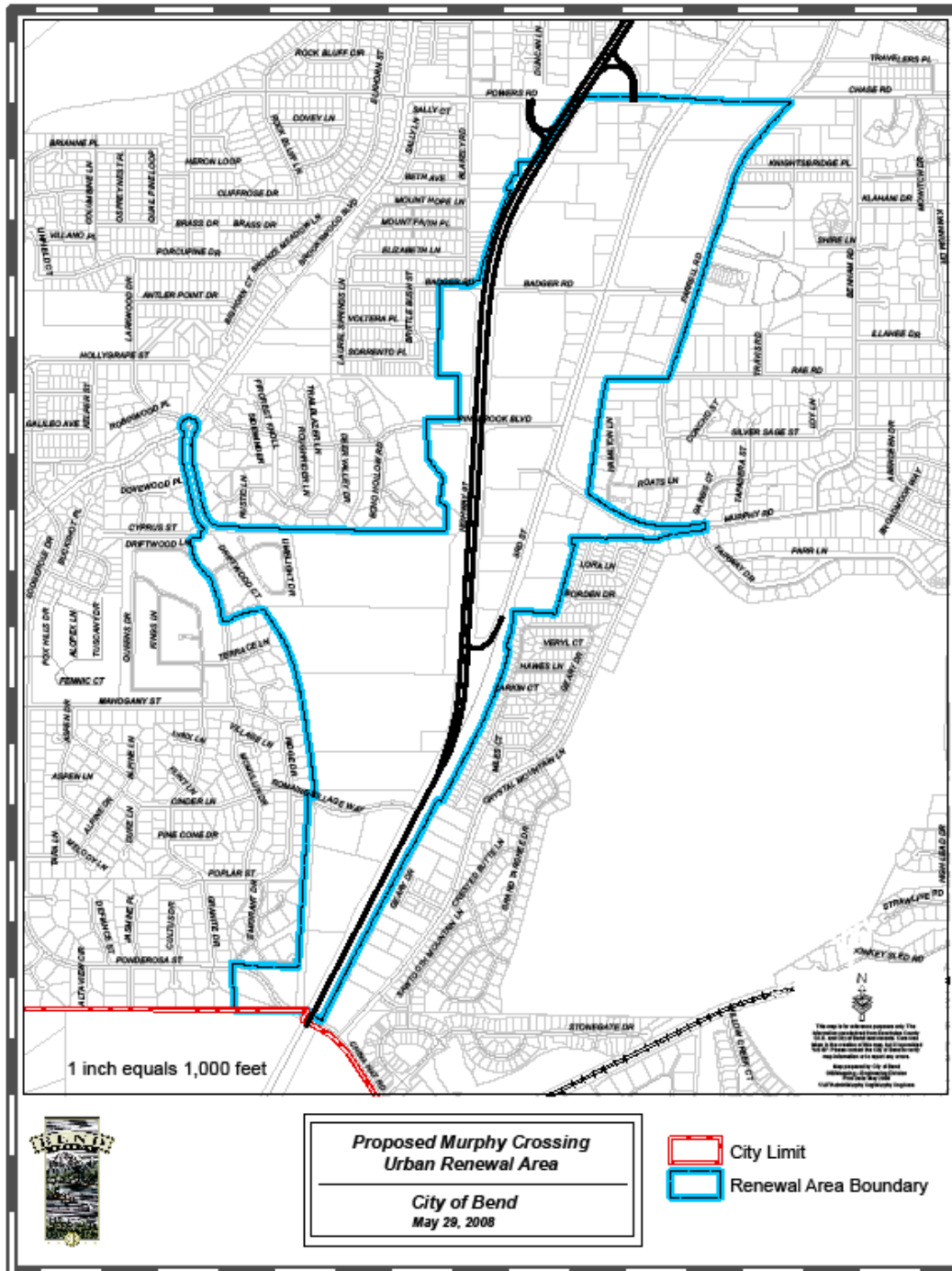
8C: Periodically consult with stakeholders and report to the Urban Renewal Agency for the ongoing administration of the plan.

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II. MAP AND LEGAL DESCRIPTION OF URBAN RENEWAL AREA

Figure 1 shows the Area boundaries. The legal description of the Area is attached as Appendix A.

Figure 1. Area Boundaries



III. OUTLINE OF MAJOR URBAN RENEWAL PROJECT ACTIVITIES

An outline of major urban renewal project activities is as follows:

- Transportation improvements to increase circulation from, to and within the Area.
- Preliminary engineering study for future transportation improvements.
- Provision of sanitary sewer to the Area to allow for development.
- Upgrading of the water infrastructure in the Area.
- Assistance in construction of a public park to serve the Area.
- Streetscape improvements along 3rd Street.
- Affordable Housing Assistance Program.
- Commercial Revitalization Loan Program.

IV. URBAN RENEWAL PROJECTS

Urban renewal projects authorized by the Plan consist of (a) public improvements that are described below, and (b) the implementation of financing programs to encourage private investment in the Area. Public improvements authorized under the Plan include transportation, water, and sanitary sewer infrastructure projects. Except for the priority of the Transportation Improvements (Section IV.A below), the actual scope, budget and priorities for public improvement projects will be decided by the Agency as it administers the Plan.

Transportation improvements will upgrade and expand existing roadways to increase access into, out of and within the Area, facilitate the development of vacant lands, accommodate increased levels of traffic as future development occurs, and provide for safety. To promote neighborhood livability and increase multimodal connectivity, transportation projects may include sidewalks and streetscape improvements. To prepare for future transportation projects in the Area, preliminary engineering studies may be conducted. Water and sanitary sewer improvements will prepare the Area for future development.

As shown in the Report, urban renewal funds may be combined with existing and future sources of funding to pay for project costs.

The projects under transportation improvements are listed in priority and phasing order.

A. Transportation Improvements

1. *Local Streets West of Bend Parkway*

The local streets west of the Bend Parkway include Murphy Road from the overpass (see project 2 below) west to the Brookwood

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Road roundabout and a new street from the central roundabout north to Murphy Road.

2. *Murphy Overcrossing of Parkway*

This includes an overpass on Murphy Road and a realignment of Murphy Road east of Parkway and a new street from Ponderosa Road north to the central roundabout.

3. *Frontage Road(s)*

This improvement includes construction of Frontage Road from Murphy Road north to Pinebrook Road and from Pinebrook Road north to Badger Road.

4. *Parkway Improvements*

Parkway improvements include a 3rd Street flyover ramp (a ramp which goes over the top of the Parkway), a southbound off ramp and a northbound on ramp

5. *3rd Street Corridor Improvements*

- a. 3rd Street improvements from Pinebrook Road to Powers Road consist of streetscape improvements including sidewalks, landscaping, parking bays, median treatments and street lighting.
- b. Intersection improvements at 3rd Street and Powers Road and streetscape improvements including street lighting, sidewalks, bike lanes, landscape strips.
- c. Intersection improvements at Powers/Parrell/Chase roads and improvements to the street connections to city standards from Chase Road to Brosterhous Road.
- d. Improvements to Parrell Road from Chase Road to Murray Road to modernize Parrell Road and meet city standards.

6. *Murphy Road Overcrossing*

- a. The Murphy Road overcrossing from Brosterhous Road to 15th Street consists of constructing a three lane bridge over the Burlington Northern Santa Fe Railroad tracks including a roundabout intersection improvement at Brosterhous Road and 15th Street.

B. **Sewer Improvements**

1. Provide additional capacity for the sewer system through the development of the master-planned Southeast Sewer Interceptor.

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2. Upgrade the existing sewer system to accommodate projected increased flows.

C. Water System Improvements

1. Upgrade regional storage and transmission facilities of Avion Water Company including a 16-18 inch transmission main from Avion's existing reservoir to the urban renewal area.
2. Upgrade the facilities of Roats Water Company. This upgrade will be facilitated by the upgrade to Avion's line as Roat's line is interconnected.

D. Park Development

1. Provide assistance with the construction costs for the development of a neighborhood park in the Area.

E. Affordable Housing Assistance Program

1. Establish a loan/grant fund for assistance in the development of affordable housing. Specific programs and rules and regulations for the administration of loan/grant funds will be developed, with public input, to ensure that urban renewal funds are used properly and for the agreed upon purposes. The adoption and amendment of such programs, rules and regulations shall not be considered changes to the Plan.

F. Commercial Revitalization Loan Program

1. Establish a loan program for the improvement of existing business properties within the Area. A specific program and rules and regulations for the administration of loan funds will be developed, with public input, to ensure that urban renewal funds are used properly and for the agreed upon purposes. The adoption and amendment of such programs, rules and regulations shall not be considered changes to the Plan.

V. PROPERTY ACQUISITION AND DISPOSITION

The Plan authorizes the acquisition and disposition of property as described in this section. Property includes any and all interests in property, including fee simple ownership, lease, easements, licenses or other rights to use.

A. Property Acquisition for Public Improvements

The Agency may acquire any property within the Area for the public improvement projects undertaken pursuant to the Plan by all legal means, including use of eminent domain, without amendment to the Plan. Acquisition procedures will comply with applicable state or federal law. In all cases, good faith negotiations for such acquisition must occur prior to institution of eminent domain procedures. The exact property description and schedule for acquisition of land for a public improvement project will be determined based on the timing of the construction of the public improvement. Approval of an acquisition by the City or Agency, as the case may be, will automatically incorporate the subject property into this Plan as a “property to be acquired.”

B. Property Acquisition – From Willing Sellers

The Plan authorizes the Agency acquisition of any interest in property within the Area that the Agency finds is necessary to support private redevelopment, but only in those cases where the property owner wishes to convey such interest to the Agency. The Plan does not authorize the Agency to use the power of eminent domain to acquire property from a private party to transfer property to another private party for private redevelopment.

C. Land Disposition

The Agency will dispose of property acquired for a public improvement project by conveyance to the appropriate public agency responsible for construction and/or maintenance of the public improvement. The Agency may retain such property during construction of the public improvement. The schedule for disposition of land for a public improvement project will be consistent with the timing of the commencement or completion of construction of the public improvement, .

The Agency may dispose of property acquired under Subsection B of this Section V by conveying any interest in property. The schedule for disposition of land acquired under Subsection B of this Section V will be determined by the Agency when the Agency determines the acquisition is necessary pursuant to Section V.B above. These determinations may be made by Resolution of the Agency.

Property shall be conveyed at its fair reuse value. Fair reuse value is the value, whether expressed in terms of rental or capital price, at which the urban renewal agency in its discretion determines such land should be made available in order that it may be developed, redeveloped, cleared, conserved or rehabilitated for the purposes specified in such plan. Because fair reuse value reflects limitations on

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use of the property to those purposes specified in the Plan, the value may be lower than the property's fair market value.

Where land is sold or leased, the purchaser or lessee must agree to use the land for the purposes designated in the Plan and to begin and complete the building of its improvements within a period of time that the Agency determines is reasonable.

VI. RELOCATION METHODS

When the Agency acquires occupied property under the Plan, residential or commercial occupants of such property shall be offered relocation assistance as required under applicable state or federal law. Prior to any acquisition, the Agency shall adopt rules and regulations as necessary for the administration of relocation assistance.

VII. TAX INCREMENT FINANCING OF PLAN

Tax increment financing consists of using annual tax increment revenues to make payments on loans, usually in the form of tax increment bonds. The proceeds of the bonds are used to finance the urban renewal projects authorized in the Plan. Bonds may be either long-term or short-term.

Tax increment revenues equal most of the annual property taxes imposed on the cumulative *increase* in assessed value within an urban renewal area over the total assessed value at the time an urban renewal plan is adopted. [Under current law, the property taxes for general obligation ("GO") bonds and local option levies approved after October 6, 2001 are not part of the tax increment revenues.]

A. General Description of the Proposed Financing Methods

The Plan will be financed using a combination of revenue sources. These include:

- Tax increment revenues;
- Advances, loans, grants and any other form of financial assistance from the Federal, State or local governments or other public body;
- Loans, grants, dedications or other contributions from private developers and property owners, including but not limited to assessment districts; and
- Any other public or private source.

Revenues obtained by the Agency will be used to pay or repay the costs, expenses, advancements and indebtedness incurred in (1) planning or undertaking project activities, or (2) otherwise exercising any of the powers granted by ORS Chapter 457 in connection with the implementation of this Plan.

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B. Tax Increment Financing and Maximum Indebtedness

The Plan may be financed, in whole or in part, by tax increment revenues allocated to the Agency as provided in ORS Chapter 457. The ad valorem taxes, if any, levied by a taxing district in which all or a portion of the Area is located, shall be divided as provided in Section 1c, Article IX of the Oregon Constitution, and ORS 457.440. Amounts collected pursuant to ORS 457.440 shall be deposited into the unsegregated tax collections account and distributed to the Agency based upon the distribution schedule established under ORS 311.390.

The maximum amount of indebtedness that may be issued or incurred under the Plan, based upon good faith estimates of the scope and costs of projects in the Plan and the schedule for their completion is Fifty Two Million Six Hundred Thousand Dollars (\$52,600,000). This amount is the principal of such indebtedness and does not include interest or indebtedness incurred to refund or refinance existing indebtedness.

C. Prior Indebtedness

Any indebtedness permitted by law and incurred by the Agency or the City of Bend in connection with the preparation of this Plan or prior planning efforts that support the preparation or implementation related to this Plan may be repaid from tax increment revenues from the Area when and if such funds are available.

VIII. FUTURE AMENDMENTS TO PLAN

The Plan may be amended as described in this section.

A. Substantial Amendments

Substantial Amendments are solely amendments:

- Adding land to the urban renewal area, except for an addition of land that totals not more than one percent of the existing area of the urban renewal area; or
- Increasing the maximum amount of indebtedness that can be issued or incurred under the Plan.

Substantial Amendments, in accordance with ORS 457.085(2)(i), shall require the same notice, hearing and approval procedure required of the original Plan under ORS 457.095, including public involvement, consultation with taxing districts, presentation to the Planning Commission and adoption by the City Council by non-emergency ordinance after a hearing. Notice of such hearing is provided to individuals or households within the City of Bend as required by ORS 457.120. Notice of adoption of a Substantial Amendment shall be provided in accordance with ORS 457.095 and .115.

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B. Council Approved Amendments

Council Approved amendments consist solely of amendments which result in:

- Material changes to the goals and objectives of the Plan; or
- Addition or expansion of a project that is materially different from projects previously authorized in the Plan.

Council Approved amendments require approval by the Agency by resolution and by the City Council by ordinance.

C. Minor Amendments

Minor Amendments are amendments that are not Substantial or Council Approved Amendments in scope. Minor Amendments require approval by the Agency by resolution.

D. Amendments to the Bend General Plan and/or Bend Development Code

Amendments to the Bend General Plan and/or Bend Development Code that affect the Urban Renewal Plan and/or the Urban Renewal Area shall be incorporated automatically within the Urban Renewal Plan without any separate action required by the Agency or the City Council.

IX. RELATIONSHIP TO LOCAL OBJECTIVES

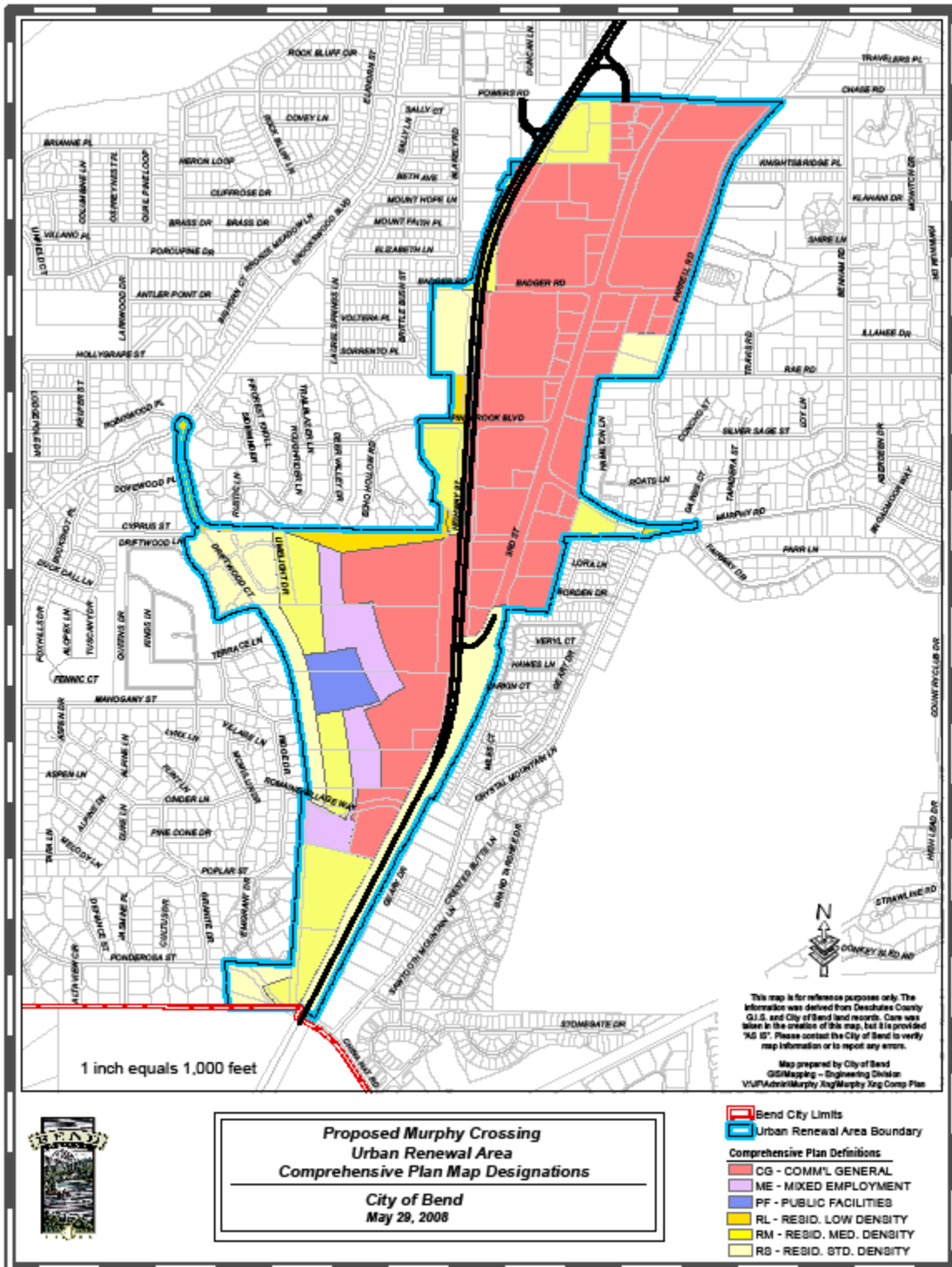
The Plan relates to local planning and development objectives contained within the City of Bend's Comprehensive Plan, Development Code, Vision 2030 Strategic Plan, and Transportation System Plan. The following section describes the purpose and intent of these plans, the particular goals and policies within each planning document that the proposed Plan relates to and an explanation of how the Plan relates to these goals and policies.

A. Bend Area General Plan (Comprehensive Plan)

The Bend Area General Plan (General Plan) is the City's comprehensive plan. It is a guide for making land use decisions regarding future development within the Urban Growth Boundary and the Urban Reserve area. The General Plan's goals and policies provide a framework for decisions that are consistent with the physical characteristics, goals, and resources of the community. The basic aim of the General Plan is to organize and coordinate complex interrelationships between people, land, resources, and facilities to meet the future needs of the citizens and to protect the livability of the community. The General Plan consists of a General Plan text and a map. The General Plan map designates the parcels in the Murphy Crossing Urban Renewal Area as Urban Low Density Residential (RL), Urban Standard Density Residential (RS), Urban Medium Density Residential (RM), Mixed Employment (ME), Public Facilities (PF) and General Commercial (CG). The Plan is consistent with the General Plan Map. See Figure 2 General Plan and Zoning Designations of Proposed Murphy Crossing Urban Renewal Area.

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Figure 2. Bend General Plan and Zoning Designations of Proposed Murphy Crossing Urban Renewal Area



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1. Conformance with the General Plan Map

The Plan relates to and is in conformance with the General Plan map. The proposed projects are all in compliance with the General Plan Map.

2. Conformance with the General Plan Text

The General Plan Text consists of information, exhibits, goals and policies. The city adopted an updated comprehensive plan in December of 1998.

At the end of each chapter are policies that address issues discussed in the chapter. The General Plan sets forth general goals and policies to help guide future growth. Below are the plan goals and policies which are applicable to this urban renewal plan.

Chapter 1 – Plan Management and Citizen Involvement

Community Goals / Page 1-1

The goals set forth below provide guidance for improving the character and quality of the Bend area as growth occurs.

- Neighborhoods – Create and preserve attractive neighborhoods for living.

The Plan relates to and complies with the standards set forth in the General Plan.

- Natural Beauty and Heritage – Protect and enhance Bend's natural beauty noting especially the trees, rocks, rivers, views, sounds and historic structures.

The creation of a park within the Area will help to protect and enhance Bend's natural beauty.

- Quality Economic Growth – Assure the opportunity for a stable, vital and diverse economy while sustaining its environment / ecological support systems.

The Plan provides for improvements which will encourage economic growth for the Area.

- Diversity of quality living options – Assure the opportunity for a wide variety of housing and neighborhoods within a community diverse in education, income, employment and recreation opportunities.

The Plan relates to and will comply with the established zoning mix, which will allow a variety of single family, multi- family apartments and condominium housing in close proximity to recreational activities. The Affordable Housing Assistance Program will help stimulate the development of this housing.

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- Transportation Options Appropriate to Bend – Foster transportation systems that provide opportunities for all practical modes to facilitate the livability of neighborhoods and the community.

The street system layout for the Area provides easy circulation in all directions including connections to the state highway system. The east/west sidewalk system will connect to the city's planned trail system to provide easy access to the river trails. Bicycle lanes will be provided on the Murphy Road overcrossing ensuring safe access to 3rd Street.

- Public / Civic Involvement – Encourage involvement by all citizens, corporate and individual, to keep the city vital and the Plan an “evolving vision”.

The Plan provides opportunity for public comment and input. In addition, the Murphy Crossing Refinement Plan was a very public process which began in 2005 with the plan adopted in August of 2006. The Refinement Plan laid the framework for the activities to be undertaken in the Plan.

Policies / Page 1-7 and 1-8

Policy #4. New developments shall pay to extend planned sewer, water and transportation facilities to and through the property if the development occurs prior to the scheduled construction of those facilities shown in the capital improvement plan.

New development will comply with this Section of the General Plan. If new development occurs prior to the scheduled construction of those facilities in the Capital Improvement Plan, new development will pay for the extensions.

Policy #5. The city and the county will encourage compact development and the integration of land uses within the Urban Growth Boundary to reduce trips, vehicle miles traveled, and facilitate non-automobile travel.

The Plan relates to these standards. The section of the Area west of the Parkway is an underdeveloped area of the community that is ripe for re-development. This portion of the Area will provide increased density in support of the General Commercial and Mixed Employment uses. Residents in the surrounding neighborhoods will be able to walk to the new service commercial uses rather than drive into the 3rd Street corridor for their day-to-day needs. Inclusion of the land east of the Parkway will encourage dense development, reducing car trips and facilitating non-automobile travel.

Policy #15. The city shall continue to use advisory committees in their planning process, members of which are selected by an open process, and who are widely representative of the community.

The Plan envisions the use periodic consultation with stakeholders for the Area, especially in relation to proposed Plan amendments.

Chapter 2 – Natural Features and Open Space

Goals / Page 2-1 and 2-2

Although the following goals clearly are intended to apply to the 1978 identified Areas of Special Interest, it is equally important to preserve stands of trees and rock features on large development parcels where practical. The following goals will help ensure the livability of Bend.

- To preserve interesting and distinct geologic formations and areas of natural vegetation;
- To shape the urban development and provide visual relief from developed land;
- To soften the appearance of street corridors with planter and median strips; to encourage environmental awareness so that citizens will become stewards of our natural areas; and
- To support the coordinated efforts of public agencies, private organizations and individuals to preserve and enhance the area's natural features and open space.

The Plan will provide assistance in developing infrastructure which will provide incentives for development of vacant land with considerable existing tree cover of ponderosa pine and juniper and small rock outcroppings. They are not protected as areas of special interest.

Policy #17. The Bend Metro Park and Recreation District shall acquire park sites and open space lands where possible to establish pedestrian, bikeway and greenway linkages between parks, open spaces, neighborhoods and schools.

The Area contains a four acre park site that has been identified by the Bend Metro Park Recreation District as a future park site that will meet the needs of the Area and will comply with the Parks Master Plan. A portion of the park improvements may be funded through the Plan.

Chapter 3 – Community Connections

Goals / Page 3-1

The topics in this chapter deal with history, culture, parks and recreation, and public education. The following goals are applicable to the proposed Plan area.

- To expand the number and variety of cultural and artistic venues held downtown and elsewhere in the community.

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- To provide quality green spaces, natural areas and recreation sites through public and private park land throughout the community; and
- To coordinate the development of future park and school sites to serve the expanding urban area population.

The Murphy Crossing District will be a new lifestyle center in the southwest quadrant of town and will attract new community events including arts and entertainment. As stated above, the proposed Plan may assist in the funding of improvements for a 4 acre park in the Area. This site has been coordinated with the Bend Metro Park and Recreation District. The park will serve the existing neighborhood as well as the new multi-family / commercial neighborhood.

Chapter 5 - Housing and Residential Lands

A common theme repeated by the citizens of Bend is the overwhelming desire to keep our neighborhoods livable. It is a goal of the General Plan to provide a variety of housing types to meet the needs of citizens with particular concern for safety, affordability, open space and sense of community. A well planned transportation system that connects our neighborhoods to schools, parks, shopping and employment is an important factor in building and maintaining a sense of community.

The proposed Plan provides a transition of uses placing the more intense commercial uses adjacent to the Bend Parkway. A variety of local road connections link the existing and planned residents to the commercial service area and planned park.

Policy #1. Future development and local development standards shall recognize and respect the character of existing areas.

Policy #3. The development of infill areas may, as an alternative to the standard subdivision review process, proceed through a public involvement process that would allow the maximum flexibility of design and provide for neighborhood participation.

Policy #4. Private and public nonresidential uses are necessary and should be permitted within residential areas for the convenience and safety of the people. Such facilities shall be compatible with surrounding developments, and their appearance should enhance the area.

Policy #5. Of necessity, nonresidential uses will have to abut residential areas in different parts of the community. In these instances, any nonresidential use shall be subject to special development standards in terms of setbacks, landscaping, sign regulations and building design.

Policy #11. Residential areas shall offer a wide variety of housing types in locations best suited to each housing type.

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The Area is an ideal location to provide a variety of housing types that will complement the emerging commercial development. The Area will include sites for new service commercial uses and future transit corridors. A new commercial center will provide needed service in close proximity to existing residential neighborhoods. The adopted Murphy Crossing Refinement Plan places the higher density residential near the commercial development to the east while providing transitional densities to the west between the existing neighborhood and the future development. These features are consistent with the General Plan policies on housing and residential lands. This Plan has projects which will provide for infrastructure which will encourage the development of residential neighborhoods. The Plan relates to and conforms with this section of the General Plan.

Policy # 24. Accessory dwellings to a single-family home may be allowed in new subdivisions or Planned Unit Developments, provided that the maximum General Plan density is not exceeded.

Policy #27. When new commercial centers are created in developing residential areas, the city and county may allow up to 20 acres of medium-density residential housing within one-eighth of a mile of the commercial center.

Policy #28. Existing low-density residential areas that are adjacent to commercial or mixed-use development at the commercial corridor may be re-designated for medium-density development.

The development plans for the Area will be required to comply with these policies.

Policy #29. Medium and high density residential development shall be located where they have good access to arterial streets and be near commercial services, employment and public open space to provide the maximum convenience to the highest concentration of population.

Policy #35. Efforts shall continue to complete or connect existing walks along routes to schools, parks, or commercial areas.

Policy #37. Efforts shall be made to extend trails, pedestrian ways, and bikeways through existing residential areas.

Policy #39. Residential local streets shall be developed whenever practical to increase connectivity within and between neighborhoods.

The Plan provides a street circulation system that links the existing neighborhood with the new commercial district and provides safe pedestrian connections to the developing commercial services. The added street connectivity also provides enhanced pedestrian access to nearby parks and trails.

Policy # 44. All residential areas shall be provided with community water and sewer services and other facilities necessary for safe, healthful, convenient urban living consistent with the density of development.

Policy #45. Residential development shall be coordinated with other land use elements and community facilities, which are consistent with projected housing densities.

Policy #46. Electric power, telephone, and cable TV distribution and service lines shall be located underground in new developments. Efforts shall be made to place existing utility lines underground in established residential areas.

The Area is already served by community water and sewer. As the undeveloped portion of the Area develops, City sewer service will be extended. Water service is provided by private water companies. There is an existing facilities plan for the Murphy Crossing Refinement Plan area. Other essential utilities such as electricity, telephone and gas are also available. The Plan relates to and complies with this section of the General Plan.

Chapter 6 - The Economy and Lands for Economic Growth

Bend's continued growth has put a burden on the existing commercial districts to provide adequate lands for new jobs and services. Sufficient land is needed to promote quality economic growth and assurance of a diverse economy.

Policy #22. The city shall strive to retain and enhance desirable existing commercial areas and encourage property owner's efforts to rehabilitate or redevelop older commercial areas.

Policy #24. All commercial developments shall be subject to special development standards relating to setbacks, landscaping, physical buffers, screening, access, signs, building heights, parking areas, and design review.

Policy #27. Commercial developments that abut residential zones or residential uses shall be subject to special setback and screening provisions.

Policy #30. An area south of Murphy Road on the west side of Highway 97 has been marked for highway commercial with a flexible "sawtooth" boundary. This area shall be approved for development only when a system of frontage road and limited access control is created that will protect the capacity and safety of Highway 97 and South 3rd Streets.

Policy #31. It is the intent of the [General] Plan to allow commercial development adjacent to arterial streets and highways in areas designated for commercial development, provided that the developments access onto frontage roads or interior roads, and that access onto the highway or arterial will be limited. Points

of access will be encouraged that provide for adequate and safe entrances and exists, and that favor right turns and merging over the use of traffic signals.

The basis of the Murphy Crossing Refinement Plan was to identify and resolve transportation related design issues in the South Parkway area. All access to and from any Murphy Crossing development will be via internal and parallel facilities. The Plan's supports commercial development opportunities along 3rd with street and intersection improvements. Street supports this section of the General Plan.

Chapter 7 – Transportation Systems

Goals:

- Develop a transportation system that serves all modes of travel and reduces the reliance on the automobile.
- Provide a variety of practical and convenient means to move people and goods within the urban area.
- Address traffic congestion and problem areas by evaluating the broadest range of transportation solutions.
- Coordinate and design transportation improvements to assure the expenditure of resources in the most cost-effective manner.
- Encourage the development of land use patterns that provide efficient, compact use of land, and facilitate a reduced number and length of trips.
- Implement transportation improvements to foster economic development and business vitality.
- Design and locate transportation facilities to be sensitive to protecting the livability of the community.
- Design and construct the transportation system to enhance travel safety for all modes.

The Plan implements the Murphy Crossing Refinement Plan which took into account the Transportation Goals of the General Plan. The proposed public improvement projects address transportation deficiencies in the Area and follow the recommendations of the adopted Murphy Crossing Refinement Plan. The land to the east of the Murphy Crossing Area will be developed with the above goals as guiding principals.

Transportation and Land Use Policies:

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Policy #1. Medium and high-density residential developments shall be located where they have good access to arterial streets and be near commercial services, employment and public open space to provide the maximum convenience to high concentrations of population.

The proposed projects within the Area facilitate the development of a street network. This network will encourage the development of medium and high density residential units which will have access to arterial streets and be near commercial services, employment and open space.

Policy #6. The City shall continue to explore mixed use zoning as one of the land use patterns that will promote fewer vehicle trips and shorter trip lengths.

The proposed public improvement projects within the Area will help facilitate the development of mixed use zoning parcels.

Pedestrian and Bicycle Systems:

Policy #6. Bike lanes shall be included on all new and reconstructed arterials and major collectors, except where bikeways are authorized by the Transportation Systems Plan. Bike lanes shall also be provided when practical on local streets within commercial and industrial areas.

Bike lanes will be included on all new Minor Arterials and Major Collectors in the Area that are built as projects under the Plan.

Policy #7. Property tight sidewalks shall be included on both sides of all new streets except where extreme slopes, severe topographical constraints, or special circumstances exist. Landscape strips shall separate curbs and sidewalks on new and reconstructed roads. Sidewalks shall be added to all existing arterial and collector streets to fill the gaps in the pedestrian system.

The Plan relates to this section of the General Plan and the specifications in the Murphy Crossing Refinement Plan. The construction of roads in the Area will include these features as required in the Murphy Crossing Refinement Plan.

Street System:

Policy #1. Streets shall be located, designed and constructed to meet their planned function and provide space for adequate planting strips, sidewalks, motor vehicle travel and bike lanes (where appropriate). Specific effort should be made to improve and enhance east-west circulation patterns for all modes of travel throughout the community.

The Plan relates to this section by ensuring that the streets are located, designed and constructed to meet their planned function and provide space for adequate planting strips, sidewalks, motor vehicle travel and bike lanes (where appropriate).

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Policy #25. Landscaped medians should be included on all arterial streets, except where right-of-way acquisition is not possible, that incorporate left-turn refuge lanes at controlled intervals to improve community appearance, maintain system mobility and to reduce the adverse affects of wide street widths to all types of travel. On streets with multiple vehicle lanes and wide curb radii, pedestrian refuge islands shall be constructed to minimize street crossing distances.

The proposed special roadway cross section standards for Murphy Road in the Murphy Crossing Refinement Plan include landscaped medians that incorporate left-turn refuge lanes. Streets built as projects under the Plan will be built to these standards.

Policy #26. Frontage roads shall be provided parallel to arterial streets, as illustrated on the Bend Urban Area Roadway System Plan Map, or as determined necessary by the City or State, to maintain an acceptable level of safety and carrying capacity on the arterial street system.

The Plan provides for construction of a frontage road, which will be classified as a major collector, on the west side of the Bend Parkway between Powers Road and Baker Road, all as provided in the adopted Murphy Crossing Refinement Plan .

Chapter 8 – Public Facilities

Goals 8.1

Adequate public facilities are the key to stable urban development. The goals below provide general guidance for maintaining and improving the level and quality of urban services as growth occurs in Bend. The citizens and elected officials wish:

- To have public and private utility systems provide adequate levels of service to the public at reasonable cost;
- For the city, county, and special districts to cooperate in the provision of adequate urban services in an efficient and timely manner to support urban development;
- For new development to pay its fair share of the cost of major facilities needed to support development;
- To ensure that public services will not have negative impacts on the environment or the community; and
- To locate and operate public buildings and other public facilities to best serve the needs of the residents.

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The Plan envisions new development primarily in the Murphy Crossing Refinement Area. The Murphy Crossing Refinement Plan Area is within two private water service areas.

The north half of the site is served by Roats Water System and the south is served by Avion. Both service providers have franchise agreements with the City for operation inside the city limits. The City's franchise agreement requires that new water line construction and other system improvements meet city fire flow requirements and other standards for delivery. To comply with this requirement, meet the forecasted demand, prevent any degradation in service to existing customers and serve large commercial customers in the urban renewal area, Avion Water Company will need to construct a new water transmission main from their existing reservoir, north beside US 97 to the south end of the urban renewal area. The new water main also will allow the Roats water system to meet the city's requirement in the north part of the urban renewal area, since the two systems are interconnected. The Plan includes funding for assistance to complete this construction.

Several years ago the City constructed a mainline sewer through the north half of the Murphy Crossing Refinement Plan area in order to eliminate a failing septic system in Romaine Village. The mainline system is a gravity sewer. The City Engineering Division prepared a Master Sewer Plan for Murphy Crossing. All areas of the Murphy Crossing Refinement Plan area can be served with gravity sewer as indicated in the Murphy Crossing Refinement Plan.

Financing of improvements in the Area will be a combination of financing methods potentially including but not limited to tax increment financing, systems development charges and local improvement districts. These methods require developers to share in the cost of the included major facilities.

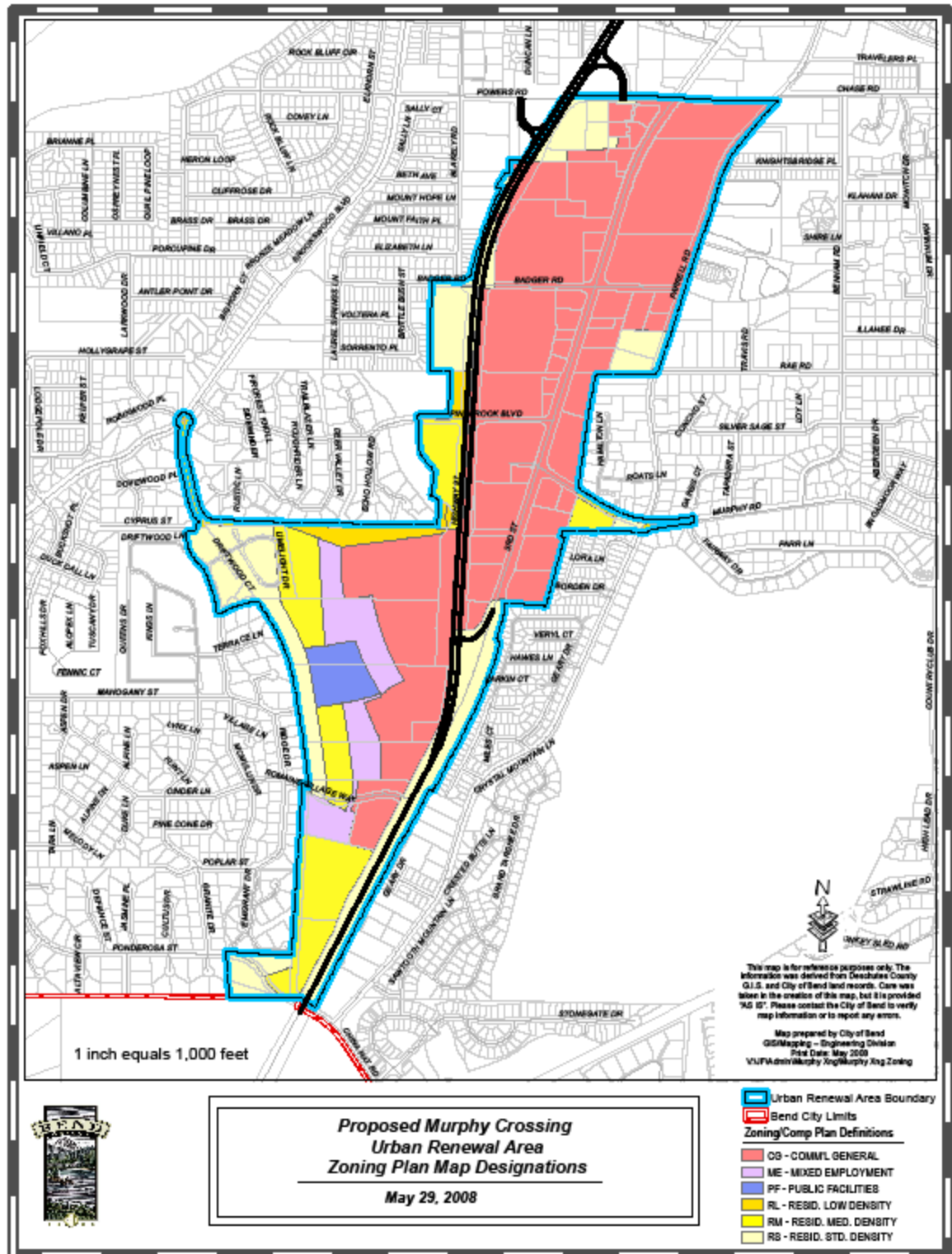
The Plan relates to this section of the Bend General Plan by providing sewer and water improvements.

B. Bend Development Code

The City of Bend Development Code establishes zoning districts to control land use throughout the city and regulates development standards within these established use districts. The proposed Area includes a large portion of sprawling commercial development in the north, and a large section of multi-zoned vacant land in the south. Specifically, the proposed Area contains General Commercial, Mixed Employment, Public Facilities, Residential Low Density, Residential Medium Density and Residential Standard Density zones.

Figure 3. Zoning

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Murphy Crossing Refinement Plan Overlay:

General Commercial (CG): This district is the main district in the area east of the Parkway. It is also located primarily between the Bend Parkway and the north/south frontage road. The General Commercial District provides for a mix of commercial uses with large site requirements and smaller-scale service commercial uses that can provide a pedestrian-oriented street frontage.

The proposed Plan is consistent with the general objectives and specific development standards prescribed for this zoning district. The Plan will help facilitate development of the properties within this zone by providing required public improvements.

Mixed Use (Mixed Employment) (ME): The Mixed Employment District is applied to areas of Murphy Crossing adjacent to primary commercial streets, to provide opportunities for a variety of smaller-scale, pedestrian-oriented commercial uses located in ground floor street frontages, with residential uses and offices above. Residential units may be located on the ground floor when adjacent to other multi-family housing. The residential density for the residential component of mixed-use projects shall not exceed 21.7 units per gross acre.

The proposed Plan is consistent with the general objectives and specific development standards prescribed for this zoning district. The Plan will help facilitate development of the properties within this zone by providing required public improvements.

Public Facilities/Open/Park Space (PF): The Public Facilities Zone is intended to provide for facilities owned and operated by public entities. Such facilities include but are not limited to schools, parks, libraries, and police and fire stations.

The proposed Plan is consistent with the general objectives and specific development standards prescribed for this zoning district. The Plan proposes assistance for park development.

Multifamily Residential (Residential Medium Density) (RM): The Multifamily Residential overlay located within the central plan area provides a transition between the new standard density single family homes and the more intense commercial development along the easterly portion of the refinement plan area. The density range within the central core shall be 10 to 21.7 units per gross acre. Multifamily Residential development is also located at the north and south ends of the Area along the Parkway. The density range within these areas shall be 7.3 to 15 units per gross acre.

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The proposed Plan is consistent with the general objectives and specific development standards prescribed for this zoning district. The development of a street network within the area will help encourage residential development.

Single Family (Residential Standard Density) (RS): In the west portion of the Area, this zoning is located along the western boundary of the refinement plan area and predominately north of Romaine Village Way. This area provides a transition between the existing Low Density Residential (RL) housing and the new Murphy Crossing development. The minimum lot size within the RS zone will be 6000 sq ft. with a minimum lot depth of 100 feet when lots abut existing RL development. Homes may be clustered or attached as zero lot line to provide maximum preservation of existing trees.

In the east portion of the Area, there is a small area of RS zoning just north of Rae Road and another area south of Powers Road east of the Parkway.

Single Family Low Density Residential (RL): This zoning is located primarily in the west portion of the Area, just north of Pinebrook Boulevard and just south of the northern boundary on the west side. The RL district consists of large urban residential lots that are served with a community water system and DEQ permitted community or municipal sewer systems. The residential density range in this district is 1.1 to 2.2 dwelling units per gross acre.

The proposed Plan is consistent with the general objectives and specific development standards prescribed for the RS and RL zoning districts. The development of a street network within the Area will help encourage residential development west of the Parkway. Development plans do not interfere with the RS zoned properties on the east side of the Parkway. The Plan will relate to and comply with the standards developed in the Murphy Crossing Refinement Plan for the RS and RL zoning districts.

Remainder of Area Zoning (Outside of Murphy Crossing Refinement Plan Area):

Low Density Residential: The Low Density Residential District consists of large urban residential lots that are served with a community water system and DEQ permitted community or municipal sewer systems. The residential density range in this district is 1.1 to 2.2 dwelling units per gross acre.

The proposed Plan is consistent with the general objectives and specific development standards prescribed for this zoning district. The

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development of a street network within the Area will help encourage residential development.

Standard Density Residential: The Standard Density Residential District is intended to provide opportunities for a wide variety of residential housing types at the most common residential densities in places where community sewer and water services are available. The residential density range in this district is 2.0 to 7.3 dwelling units per gross acre.

The proposed Plan is consistent with the general objectives and specific development standards prescribed for this zoning district. The development of a street network within the Area will help encourage residential development.

Medium Density Residential: The Medium Density Residential District is intended to provide primarily for the development of multiple family residential housing in areas where sewer and water service are available. The residential density range in the District is 7.3 to 21.7 units per gross acre and shall provide a transitional use area between other residential districts and other less restrictive areas.

The proposed Plan is consistent with the general objectives and specific development standards prescribed for this zoning district. The development of a street network within the Area will help encourage residential development.

General Commercial District: The Convenience Commercial District is adjacent and connected to the residential district(s) it is intended to serve. Convenience Commercial uses are larger in scale and area than neighborhood commercial uses and provide for frequent shopping and service needs of nearby residents. New Convenience Commercial nodes shall develop as commercial centers rather than a commercial strip and be limited in size up to 5 acres.

The proposed Plan is consistent with the general objectives and specific development standards prescribed for this zoning district. In the area east of the Parkway, loan assistance may be able to provide upgrading of properties within the Area.

Each of these districts contain specific development standards, intended to promote site planning and design that consider the natural environment, maintain the required dimensional standards while promoting energy conservation, privacy, safe and efficient parking areas, and improve the general living environment and economic life of a development.

The proposed Plan is consistent with the general objectives and specific development standards prescribed for each of these zoning districts. The Plan

will support the development of underdeveloped commercial mixed-use and residential land, thereby providing employment and housing opportunities, which will in turn encourage full utilization of adjacent parcels.

C. Transportation System Plan

The purpose of the Bend Urban Area Transportation System Plan (TSP) is to help guide the development of a transportation system that will meet the forecast needs of the Bend community. This plan provides policy and a plan framework that will enable Bend to design a balanced transportation system for the near-term and the next twenty years. Strategies for planning and implementing a wide range of transportation components are addressed in the TSP including automobile, public transportation, bicycle and pedestrian travel.

The TSP classifications for the roads within the area are:

Expressway:	Bend Parkway
Principal Arterial:	Highway 97 / 3 rd Street
Minor Arterial:	Brookwood Boulevard Murphy Road
Major Collector:	Ponderosa Street Lodgepole Drive Parrell Road Powers Road New Collector in the Murphy Crossing Refinement Plan
Local:	New local streets in the Murphy Crossing Refinement Plan area

The Plan supports and implements the components of the Transportation Systems Plan. The Plan proposes to construct the street infrastructure necessary for the development of the Area.

The section of the TSP which relates specifically to the Area is on page 109 of the Bend General Plan, which includes the TSP, under the heading: Expressway Descriptions: The Bend Parkway. (see following section)

D. South Bend Parkway Refinement Study and Murphy Crossing Refinement Plan

In the summer of 2001, the South Bend Parkway Refinement Study was started to explore future options for replacing the at-grade intersections. The purpose of the refinement study was to help develop a detailed improvement and management plan for the southern section of the Bend Parkway from Powers Road to Bend's southern urban growth boundary. The South Bend Parkway Refinement Study encompassed City of Bend and State of Oregon transportation

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facilities. The study area extended from just north of Powers Road to just south of the Baker Road interchange with US Highway 97. The study area also extended from Brookwood Boulevard on the west to Parrell Road on the east. A joint Oregon Department of Transportation (ODOT) and City of Bend project development team evaluated thirteen long-term alternatives, including a no-build, for the study. Of the twelve build alternatives, three were selected (Alternatives A, H and H-Modified) by the project development team to forward as alternatives to be further analyzed. All of the build alternatives included these features:

- Construct an interchange at Powers Road;
- Close the Badger Road connection to the Parkway;
- Restrict or close the Pinebrook Boulevard connection;
- Murphy Road realigned to the south and connected to Brookwood Boulevard;
- Ponderosa Street / China Hat Road intersection converted to right-in/right-out with acceleration lanes;
- New Roundabout at the intersection of Brookwood Boulevard and the extension of Murphy Road; and
- Powers Road widened to four lanes between Brookwood Boulevard and 3rd Street.

The recommended alternative was H-Modified with Option 1, and includes the features listed above, plus the following:

- Directional fly-over from southbound 3rd Street to southbound US Highway 97;
- Southbound off-ramp from the Bend Parkway to the frontage road; and
- Northbound loop on-ramp from 3rd Street to the Bend Parkway

In 2003, following years of public meetings, the OTC and the City of Bend selected Alternative H-Modified with Option 1 for the South Parkway Refinement. The selection of this alternative came with several conditions that needed to be satisfied prior to implementing the plan. Below are the conditions:

- Select the alignment for the realigned Murphy Road to extend west to Brookwood Boulevard;
- Select the alignment for the frontage road west of the Parkway to connect Powers Road to Ponderosa Drive;
- Identify the timing of the right-in/right-out configuration for Ponderosa Drive / China Hat Road and US Highway 97;

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- Identify the improvements needed on Powers Road between 3rd Street and Brookwood Boulevard;
- Identify the improvements needed on Brookwood Boulevard from Murphy Road to Powers Road;
- Identify the improvements needed on Parrell Road between Powers Road and China Hat Road; and
- Select the alignment for the frontage road from Ponderosa Drive south to Baker Road.

To meet those conditions, in March 2005, the City of Bend initiated the Murphy Crossing Refinement Plan. Over a three month period of time, extensive public input was received including stakeholder and property owner interviews and two public meetings. From this public process a preferred design alternative emerged. The preferred plan proposed a local street plan consistent with the OTC conditions and a land use plan required new zoning designations within the study area. Based on the preferred alternative plan that came out of the Murphy Crossing Refinement Plan, the City Council authorized staff to proceed with the initiation and adoption of a refinement plan for the Murphy Crossing area in August 2005. Several adjoining properties expressed interest in becoming part of the refinement plan area. These properties complemented the refinement plan area and were incorporated into the plan. Staff proposed to create a refinement plan overlay for approximately 102.75 acres. The plan included a Zoning Map and General Plan Map amendments to re-designate the existing Urban Low Density Residential (RL), Urban Standard Density Residential (RS) and Highway Commercial (CH) zoning to Urban Standard Density Residential (RS), Urban Medium Density Residential (RM), Mixed Employment (ME) and General Commercial (CG). The proposal also required a Text Amendment to the Zoning Ordinance to add the new Murphy Crossing Refinement Plan, an amendment to the City's Transportation System Plan text and the Transportation System Plan Map to locate the Murphy Road over-crossing alignment and the frontage road alignment.

The Murphy Crossing Refinement Plan was adopted by City Council on November 15, 2006.

Concurrent with the Murphy Crossing project is a project led by ODOT called the Interchange Area Management Plan (IAMP). The State will adopt a management plan for the south end of the Bend Parkway that will accommodate the land uses designated in the Murphy Crossing Refinement Plan. As part of the IAMP, access within the planned area will be evaluated to determine if capacity and function will affect the level of service of the Bend Parkway. Ultimately the Murphy Crossing Refinement Plan will be acknowledged by the OTC in conjunction with the IAMP.

The City also has completed the Murphy Road Corridor Plan, which was

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accepted by City Council in November 2007 and recommends a three lane cross-section from Parrell to Brosterhaus with medians and roundabouts at the major intersections. Council also recommended a bridge over the railroad from Brosterhaus to 15th St. with a roundabout at 15th St.

Murphy Road from Third Street west to Brookwood Boulevard is an 80 foot section. This street will have two travel lanes divided by a 12 foot partially landscaped median with turn pockets. The north side will have a 5 foot sidewalk that meanders through a landscaped strip. The south side will have a 12 foot urban sidewalk with street trees placed in tree wells. Bike lanes will be located on both sides of the road.

The Plan relates to the components of the TSP in the Bend General Plan, the South Bend Parkway Refinement Study, the Murphy Crossing Refinement Plan the Interchange Area Management Plan and the Murphy Road Corridor Study by implementing those documents. The Plan proposes to assist in the facilitation of the construction of the street infrastructure necessary for the development of the Area, providing employment and housing opportunities and services for the residents of Bend.

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APPENDIX A: LEGAL DESCRIPTION

DESCRIPTION

Legal description will be inserted prior to City Council Hearing.